REMARKS

The Office examined claims 1-13 and rejected same. With this paper, various of the claims are amended, none are canceled, and new claims 14-23 are added, so that claims 1-23 are now pending.

This paper follows a telephone conversation with the Examiner on 12 September 2006, in which applicant's attorney asked the Examiner to be more specific about what the Examiner sees in the applied art as teaching the trigger field recited in the claims. The Examiner replied that the trigger field is shown by reference labels 15 and 16 in Figs. 8A and 8B, and also referred applicant's attorney to Fig. 7. Fig. 8A illustrates an FBI feedback information) field, and Fig. 8B depicts where in a radio frame such an FBI field is communicated. Fig. 7 illustrates communication of a code word for transmission power offset of TFCI for the DSCH (downlink shared channel). Applicant's response here to the Office action is based at least in part on these statements by the Examiner.

Changes to the claims

Besides adding new claims, various of the original claims (including claim 1) are changed by this paper in ways believed related only to matters of form. In particular, "characterized by/in that" is replaced with "comprising/wherein." Applicant respectfully submits that such changes are permissible per MPEP § 2111.03 (the transitional term "comprising" is synonymous with "characterized by"). Also, reference numerals/ labels are removed from the claims, which change does not affect the scope of the claims per MPEP § 608.01(m) (the use of reference characters is considered as having no effect on the scope of the

claims). Finally, the claims are amended to remove "step of" language.

Rejections under 35 USC §103

At section 1 of the Office action, claims 1-13 are rejected under 35 USC §103 as being unpatentable over Hwang (US Pat. No. 7,010,317) in views of Mikola (US Pat. No. 6,862,450).

Claim 1, as amended here, recites controlling an attribute of a communication channel used in respect to communication between a NodeB and a user equipment device, by the NodeB configuring the communication channel for communication with the user equipment device according to a trigger field consisting of at least one bit included in one or more system information blocks provided by a radio network controller, wherein the trigger field is predetermined to correspond to the attribute so as to either enable or disable the attribute or set a value or a limit for the attribute, and then communicating to the user equipment device the one or more system information blocks with the trigger field.

The Office asserts that Hwang discloses all the limitations of claim 1, and in particular, the trigger field of one or more bits in a SIB (system information block) provided to a NodeB from a RNC (radio network controller), relying on col. 15, line 42 to col. 16, line 41; col. 23, lines 3-57; col. 33, lines 3-40; col. 34, lines 2-62; col. 16, lines 43-61; and col. 17, lines 16 to col. 18, lines 21. From the telephone conversation with the Examiner described above, applicant understands the Office also intended to refer the applicant to Figs. 8A and 8B, and also Fig. 7.

Applicant respectfully submits that Hwang nowhere discloses enabling or disabling an attribute of a communication channel by

conveying *in a system information block* one or more bits serving as a trigger field for the attribute, as required by claim 1. The Office is not express about what the Office sees in Hwang as a teaching of such a trigger field, but since the cited text discusses a TFCI (transport format combination identifier) at length, applicant's attorney supposes that the Office means to assert that Hwang's disclosure of the communication of a TFCI is encompassed by claim 1. From the telephone conversation, another possibility, and it appears the most likely one since the Examiner seemed to be stressing it, is that the Office is relying on the disclosure of the FBI field shown in Fig. 8A. (The FBI field is used by the UE to provide power offset values, indicated as M and N values, for TFCI bits; the UE calculates the power offset values from the downlink common pilot channel signals.)

Applicant respectfully submits that Hwang nowhere even mentions the use of a system information block, let alone the use of a system information block to convey a trigger field for enabling or disabling an attribute of a communication channel, as required by claim 1.

If the Office is asserting that the communication of a TFCI is encompassed by claim 1, this cannot be since a TFCI is not communicated in a broadcast system information block. (In downlink, a TFCI is usually communicated over the dedicated physical channel DPCH, i.e. on DL-DPCCH. A system information block, on the other hand, is broadcast, i.e. it is communicated over the broadcast control channel BCCH.) Moreover, a field indicated as TFCI is shown in Fig. 8B (and described as a TFCI codeword), to which applicant's attorney was directed by the Examiner, but Fig. 8B shows the structure of an uplink channel (from the UE to the NodeB), and more specifically, the UL-DPCCH (uplink dedicated physical control channel). Thus, the TFCI

field of Fig. 8B cannot be teach the trigger field recited in claim 1.

If the Office is asserting that the FBI field of Fig. 8A teaches the trigger field recited in claim 1, applicant respectfully submits that like the TFCI field of Fig. 8B, the FBI field too is communicated from the UE to the NodeB, i.e. it is uplinked, not downlinked, using the UL-DPCCH (see col. 15, line 27). So it is not communicated in a broadcast system information block (i.e. in downlink, from the NodeB to all UE in range of the NodeB), as required by claim 1.

If the Examiner is still of a mind to reject claim 1 based on the applied art, applicant does request that the Office be more specific. Per the "Rules" (i.e. 37 CFR) at section 1.104(c)(2) (and, correspondingly, the MPEP, at 706):

> (2) In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, *the particular part relied on must be designated as nearly as practicable*. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified. [Emphasis added.]

The same argumentation applies to the other independent claims (formerly dependent claims), namely claims 10-12.

The dependent claims are believed patentable over the applied art at least by virtue of their dependencies.

Accordingly, applicant respectfully requests that all the rejections under 35 USC §103 be reconsidered and withdrawn.

New claims

New claims 14-17 recite limitations corresponding to those of the claims relied on for patentability over the applied art, and are therefore believed patentable over the applied art for

the same reasons as given above for claims argued above.

New dependent method claim 1, as noted above, recites that the system information blocks are broadcast (i.e. are provided via a broadcast control channel), and is believed distinguished over the applied art for the reasons given above (that Hwang does not disclose providing a trigger field in a system information block communicated over a broadcast control channel). New dependent method claim 19 recites that the system information blocks are one or more blocks in a set of eighteen system information blocks that are broadcast. Support is at page 6, lines 16-17. New dependent claims 20-21 to a NodeB and new dependent claims 22-23 to a user equipment device recite limitations corresponding to those of new claims 18 and 19.

Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

Respectfully submitted,

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